IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

MFA.No. 894 of 2000(B)

OPMV.1644/1994 of MOTOR ACCIDENT CLAIMS TRIBUNAL, IRINJALAKUDA
.....

APPELLANT/PETITIONER:

T.VINOD,AGED 23 YEARS, S/O.BHASKARAN, THEKKUMPURAM HOUSE, KODAKARA-KAVUMTHARA DESOM, KODAKARA VILLAGE P.O., MUKUNDAPURAM TALUK.

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENTS/RESPONDENTS:

1.RAJAMALLIKA,W/O.MOHANAN, KAVUNGAL HOUSE, KODAKARA P.O., THRISSUR DISTRICT.

2.VALSAN,S/O.MADHAVAN,THANATHUDAN HOUSE, KODAKARA P.O.

3.THE ORIENTAL INSURANCE CO., ANGAMALY.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA FOR R1
SRI.GEORGE CHERIAN (THIRUVALLA) FOR R3
SRI.ALEXY AUGUSTINE

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 23/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO.894 OF 2000 (B)

Dated this the 23rd day of May, 2007

J U D G M E N T

KOSHY,J.

Appellant in this case was injured in a motor accident. The Tribunal found that accident occurred due to the negligence of the driver of the vehicle insured by the 3rd respondent Oriental Insurance Company. Tribunal awarded a total compensation of Rs.78,220/- with 12% interest against the claim of Rs.1,50,000/-. Claimant was only 17 years old. Tribunal has fixed the notional income of Rs.15,000/- per year and multiplier was fixed as 16 considering his age. Medical certificate produced by the appellant assessing 15% disability was also accepted. Considering the facts and circumstances, we see no ground to interfere in the award passed by the Tribunal as just and reasonable compensation is awarded. Hence this M.F.A. is dismissed.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.ANO.894 OF 2000 (B)

J U D G M E N T

23rd May, 2007